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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/325,143	06/03/1999	CHIN-HUI LEE	LEE22-1	2458

47394 7590 12/03/2004

HITT GAINES, PC
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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 12/03/2004

27

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/325,143

Applicant(s)

LEE, CHIN-HUI ET AL.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-8 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-8** are rejected under 35 U.S.C. 103(a) as being unpatentable over Fenton et al. (US 6,035,017) in view of Haddock (US 5,742,736).

Regarding **claim 1**, Fenton discloses a method of listening to key segments in a voice message (column 1, lines 6-9) comprising the steps of:

identifying a key segment (column 3, lines 55-66) [The voice message processor 20 identifies the key segment input by the user];

storing characteristics of the key segment (column 3, line 66 to column 4, line 2) [The voice message processor 20 stores the key segments in the action record 232];

receiving a voice message (column 4, lines 46-64) [The voice messaging program 22 receives the caller's message]; and

comparing the stored characteristics of key segment against the voice message to detect the key segment in the voice message (column 4, line 46 to column 5, line 16) [The voice messaging program 22 compares the caller's message through the speech recognition program 22 to detect the key segment in the caller's message for a match in the action record].

Fenton discloses a voice recognition program to detect a particular segment in the caller's voice message and attached a previously determined application to the message but fails to disclose tagging the message for a later playback on the user's request.

However, Haddock teaches tagging a location of the key segment in the voice message (column 7, lines 5-22) [The personal message manager 10 associates a marker to the segment of the message with the particular marker key defined by the user];

receiving an enquiry to listen to the key segment in the voice message (column 7, lines 24-32) [The user clicks on the specific marker for the segment of message desired on the personal message manager 10]; and

retrieving the key segment from the location for playback (column 7, lines 24-32) [The personal message manager 10 plays back the message segment associated with that particular marker enquired by the user].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Fenton using the personal message manager as taught by Haddock.

This modification of the invention enables the system to tag a particular segment of the message so that the user would retrieve all the segment of messages associated with that particular marker.

Regarding **claims 2 and 7**, Fenton discloses a registering the key segment by storing an identification and a characteristic of the key segment (column 3, lines 55-66).

Regarding **claim 3**, Fenton discloses a predefining the key segment (column 3, lines 55-66).

Regarding **claim 4**, Haddock teaches the enquiry for the key segment includes speech (column 7, lines 38-47).

Regarding **claims 5 and 8**, Haddock teaches a pronunciation of the key segment (column 7, lines 38-47).

Regarding **claim 6**, Fenton and Haddock disclose all the limitations of **claim 6** as described on **claim 1**'s rejection above.

Response to Arguments

4. Applicant's arguments with respect to **claims 1-8** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GERALD GAUTHIER
PATENT EXAMINER

g.g.
November 18, 2004


FAN TSANG
SUPERVISORY PATENT EXAMINER
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